

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRONTIER FISHING CORP.,
Plaintiff,

v.

DONALD L. EVANS, Secretary
of the U.S. Department of Commerce;
and
CONRAD C. LAUTENBACHER, JR.,
Under Secretary for Oceans and
Atmosphere/Administrator and
Deputy Under Secretary,
Defendants.

Civil Action
No. 04-11171-DPW

DEFENDANTS' MOTION TO AFFIRM NOAA'S DECISION

For the reasons set forth in the accompanying memorandum, Defendants request that this Court affirm the decision of the National Oceanic and Atmosphere Administration.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /S/ Anita Johnson
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Certificate of Service

I hereby certify that I have served the foregoing upon counsel for Plaintiff, Stephen Ouellette, 163 Cabot Street, Beverly, Mass. 01915, by electronic transmission, on this 27th day of May 2005.

/S/ Anita Johnson